

REMARKS

The present application includes claims 1-4, 6-20, 22-33, and 44-45. Claims 1 and 18 presently stand rejected under 35 U.S.C. § 112 ¶ 1. Claims 1-4, 6-20, 22-33, and 44-45 presently stand rejected under 35 U.S.C. § 103(a). With this Response, pending claims 1 and 18 have been amended, and two dependent claims, claims 46 and 47, have been added.

A. Rejection under 35 U.S.C. § 112 ¶ 1

Claims 1 and 18 presently stand rejected under 35 U.S.C. § 112 ¶ 1. The Office Action contends that the claim language “gaming machine no longer operates to play a game by any player, via player action solely at a time when a player credit held in the credit recording facility of the gaming machine is non-zero,” does not comply with the written description requirement. In particular, the Office Action contends that the “the phrase ‘solely’ or any indication that the game machine is locked only when a credit is held in the gaming machine, is absent from the specification.” (Office Action at 2.) Applicants respectfully disagree. In particular, the specification states:

The gaming machines connected to the system may include a reservation button which when pressed while the player tracking means is present causes the machine to lock and prevent further play in the absence of the respective player tracking means. Depending on the requirements of the gaming system operator, locking may occur always or alternatively only when the players remaining credits is non-zero.

(*See, e.g.*, WO 2004/111954 at page 4, lines 1-5 (emphasis added).)

Accordingly, based on at least the above, Applicants respectfully submit that the specification describes the claimed subject matter in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession

of the claimed invention. Thus, Applicants respectfully submit that the rejection of claims 1 and 18 under 35 U.S.C. § 112 ¶ 1 have been overcome, and request withdrawal of those rejections.

B. 35 U.S.C. § 103(a) Rejections

Claims 1, 4, 6-14, 18, 22-29, and 32 were rejected under 35 U.S.C. §103(a) based on U.S. Pat. No. 5,429,361 (Raven) in further view of U.S. Pat. No. 5,954,583 (Green). Claims 2, 3, 10, 19, 20, 36, 44, and 45 were rejected under 35 U.S.C. §103(a) based on Raven in view of Green in further view of U.S. Pub. No. 2003/0220138 (Walker). Claims 14 and 30 were rejected under 35 U.S.C. §103(a) over Raven in view of Green in further view of U.S. Pat. No. 6,638,169 (Wilder). Claims 15, 16, 17, 31, 32, and 33 were rejected over Raven in view of Green in further view of U.S. Pat. No. 7,107,245 (Kowalick).

Claim 1 as amended, recites a credit establishment facility which is arranged for both (1) the selection of a gaming machine to play a game and (2) the establishment of a player credit associated with a player identification device. The player's action causes locking solely when credit is non-zero and unlocking when the machine is supplied with the identification input device to which the credit establishing facility associated the credit. Neither Raven nor Green describe a credit establishment facility which is arranged to select a gaming machine for play. In both Raven and Green, the player interacts with the gaming machine itself to play a game, and there is no selection for play of the gaming machine from a credit establishing facility.

Under 35 USC 103, Raven and Green cannot be combined to make obvious something that neither reference discloses.

In addition, new dependent claim 46 is directed to locking the selected gaming machine when credits are transferred by the credit establishing facility prior to the player identification

device being supplied to the gaming machine. Neither Raven nor Green discloses such a feature of locking a gaming machine when credits are transferred.

In addition, new dependent claims 47 and 48 are directed to control of transfer of credits from the credit establishing facility to the selected gaming machine depending on the machine being in use. Neither Raven nor Green discloses such a feature.

Claims 2-4, 6-17, 44 and 45 are dependent on Claim 1 and should be allowable for the same reasons given as to the allowability of Claim 1.

Claim 18, as now amended, includes the feature wherein one gaming machine is locked solely at a time when player credits are held in the machine, and unlocked when a player tracking device is supplied to another gaming machine. The credit left in the one gaming machine is transferred to the other gaming machine. Neither Raven nor Green describe a locked first gaming machine being unlocked when a player tracking device is supplied to another gaming machine, and the credit associated with the locked gaming machine being transferred to the other gaming machine.

Dependent claims 19, 20, and 22-33, are allowable in view of Raven and Green for the same reasons given as to the allowability of claim 18, taken singularly or in combination.

The Walker, Wilder and Kowalick references do not remedy the deficiencies of Raven and Green as discussed above. Walker's singular button, Wilder's ticket and Kowalick's bio-sensor do not make obvious applicants' claims, if taken with Raven and Green, for the reasons discussed above as to Raven and Green.

CONCLUSION

Applicants respectfully submit that the claims of the present application are in condition for allowance for at least the reasons discussed above. A Notice of Allowance is therefore requested. If Examiner has any questions or Applicants can be of any assistance, Examiner is invited and encouraged to contact Applicants at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

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